



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
MONTANA STATE OFFICE  
222 NORTH 32ND STREET  
P.O. BOX 36800  
BILLINGS, MONTANA 59107-6800

IN REPLY TO:

April 15, 1991

3165.3 (922.S)  
SDR-922-91-09  
NDM 30986

CERTIFIED RETURN RECEIPT REQUESTED

## DECISION

Sinclair Oil Corporation )  
Dome Tower ) SDR-922-91-09  
1625 Broadway, Suite 800 )  
Denver, Colorado 80202 )

## REVERSED

Sinclair Oil Corp. (Sinclair) has requested a State Director Review of five Notices of Incidents of Non-Compliance (INC) issued by the Dickinson District Office (DDO). The INCs were issued on March 19, 1991, and received by Sinclair on March 25, 1991. The request was dated April 9, 1991, and timely received on April 11, 1991.

The INCs all allege the same violation, involving five separate wells within lease NDM 30986. Onshore Oil and Gas Order No. 4 (43 CFR 3164.1, part III C.1.a.), requires that each sales tank shall be equipped with a pressure-vacuum thief hatch and/or vent line valve. The INCs state that there is no back-pressure valve on the oil tank vent lines.

Sinclair responds by citing the above regulation, and stating that "all tanks on these sites have always had pressure-vacuum thief hatches on them, and should not be in violation of this order." We understand that this regulation is being revised, and that both the pressure-vacuum thief hatch and vent line valves were to be required. The regulation is being re-written, but is not yet in effect.

Since Sinclair is in compliance with the Order as it is written, we hereby reverse the DDO decision. The DDO may require you to install the back-pressure valves as a decision of the Authorized Officer (AO). However, the AO must provide justification for requiring this equipment.

Chun Chiu Wong, Acting  
Deputy State Director  
Division of Mineral Resources

- 2 Enclosures  
1-April 9, 1991 request for SDR (1 p)  
2-INC's prepared by DDO (5 pp)

cc: (w/o encls.)  
DM, Dickinson